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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Leatrese J. HARRIS et al.

Serial No.: 09/939,714

Examiner: John M. Cooney

Filed: August 28, 2001

Group Art Unit: 1711

Title: OPEN PORE BIODEGRADABLE MATRICES

REPLY

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Office Action mailed August 16, 2002, kindly reconsider the above-identified application for allowance in view of the following Remarks.

REMARKS

The Rejection under 35 U.S.C. § 103

The rejection of claims 1-36 under 35 U.S.C. § 103 as being obvious over Dorman (U.S. Patent No. 4,636,526) is respectfully traversed.

Dorman is directed to composite materials used for hard tissue prosthetics which contain synthetic biodegradable polymers and unsintered calcium phosphate material. The compositions are made in to a porous material by a particulate leaching method. Thus, the composite material is mixed with a pore-forming agent, such as a water soluble polymer or inert material, and then contacted with a solvent which dissolves and draws out the pore-forming agent to form pores; see, e.g., col. 2, line 63, to col. 3, line 6, and col. 7, lines 3-27.

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